

FEDERAL PUBLIC DEFENDER

NORTHERN DISTRICT OF CALIFORNIA
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December 3, 2007

VIA FACSIMILE (510) 637-3545
Magistrate Judge Wayne D. Brazil
1301 Clay Street, Courtroom No. 4
Oakland, CA 94612
attn: Ivy Garcia

United States v. Maurice Coleman, CR 07-00284 MJJ (WDB)
RE: Request to place on calendar on 12/10 to modify conditions of release

Dear Judge Brazil :

I am asking that this matter be placed on Your Honor's calendar for Monday, December 11, 2007, at 10:00 a.m. for the Court to consider Mr. Coleman's request that he be allowed to leave Cornell Corrections half-way house and instead reside in Sparks, California with his girlfriend, Lily, and close to his children. Mr. Coleman previously was living in San Francisco, California with his step-mother Rochelle Coleman and his siblings while on pretrial supervision. However, over a month ago, Mr. Coleman was told that he had to move because Rochelle's Section 8 housing was in jeopardy. At the last appearance before Your Honor on November 8, 2007, the Court indicated that Mr. Coleman should go back to the half-way house and follow all of the conditions imposed. The Court further indicated that if Mr. Coleman did well at the half-way house, the Court would consider a request prior to Christmas to modify his conditions and allow him to reside in Nevada with his girlfriend Lily LaCuesta. Initially I thought that Mr. Coleman's two children, Maliyah (daughter, 6 yrs old) and Maurice Jr. (son, 3 yrs old) would also live with Mr. Coleman in Sparks, Nevada. I have since learned that the children live with their mother approximately ten minutes away. When Mr. Coleman was living in Sparks prior to his arrest in this district, Maliyah and Maurice Jr. regularly came to his house after school and on weekends and he saw his children almost daily. Should he be allowed to move back to Sparks, Mr. Coleman anticipates resuming daily contact with his children. He is anxious to spend as much time with his children as possible before surrendering to serve what is likely to be a 21 month custodial sentence.

I have spoken with SAUSA Bryan Whittaker and he is available on December 10, 2007, should the Court calendar the matter for that date. I have left a message for U.S. Pretrial Services Officer Victoria Gibson but have not heard whether she is available on that date.

Sincerely,

BARRY J. PORTMAN
Federal Public Defender
/S/

JOYCE LEAVITT
Assistant Federal Public Defender

cc: Bryan Whittaker, SAUSA
Victoria Gibson, US Pretrial Services